

Milestone	Date Required	Date Accomplished	Status
Operational Agreement	12/12/97		
Move to Production	12/15/97		To Begin 12/15

3.2 Unbundled Network Element (UNE)

A. Description of project

As described in the AT&T / BellSouth Georgia Interconnection Agreement, Attachment 15, Paragraph 5.2.1 for ordering UNE AT&T and BellSouth will implement.....two types of orders, an *Infrastructure Provisioning order* and a *Customer Specific Provisioning order*.

B. General Information

AT&T has integrated UNE market entry with the availability of TCIF Issue 7 functionality. Any delay in Issue 7 deployment could delay AT&T's ability to order service through UNEs. At present, AT&T cannot order UNE electronically. Moreover, ordering of UNE Loop & Port Combinations is not available in the BellSouth Phase II mapping and will not be available from BellSouth until the deployment of Issue 7.

C. Status

Milestone	Date Required	Date Accomplished	Status
Mutually Agree to Requirements/Specification (EDI Mapping)	9/15		AT&T is attempting to schedule joint meeting with BellSouth to understand and close Requirement Definition gaps.
Develop Test Plan	10/31		To Begin 10/1
Perform Joint Testing	12/12/97		To Begin 11/14
Dev. Work Center Operational Agreement	12/12/97		To Begin 11/14
			To Begin 12/15

3.3 Interim Number Portability

A. Description of project

Implementation of BellSouth's Interim Number Portability to support AT&T local service until TCIF Issue 7 is implemented.

B. General Information

AT&T will utilize BellSouth's Phase II EDI Mapping for the initial Market Entry deployment of Interim Number Portability. AT&T will transition from BellSouth's Phase II EDI Mapping to TCIF Issue 7 within 7 months of the publication date of the TCIF/SOSC guidelines.

C. Status

Milestone	Date Required	Date Accomplished	Status
Mutually Agree to Requirements/Specification (EDI Mapping)	6/25/97	6/25/97	Completed
Develop Test Plan	8/29/97		On Target
Perform Joint Testing	10/31/97		To Begin 10/01 - On Target
Dev. Work Center Operational Agreement	10/31/97		To Begin 10/01 - On Target
Move to Production	11/03/97		To Begin 11/03 - On Target

4. Maintenance and Repair

4.1 Electronic Communications Trouble Administration

A. Description of project

As described in the AT&T / BellSouth Georgia Interconnection Agreement, Attachment 15, Paragraph 6.2, AT&T and BellSouth will "for the purpose of exchanging fault management information, establish an electronic bonding interface, based on ANSI standards T1.227 - 1995 and T1.228 - 1995 using the Electronic Communications Implementation Committee's (ECIC) trouble report format definition (TRFD) #1 as defined in ECIC/TRA/95-003...."

The following functions are to be available:

- Enter Trouble
- Request Trouble Report Status

- Add Trouble Information
- Modify Trouble Report Attributes
- Trouble Report Attribute Value Change Notification
- Cancel Trouble Report

B. General Information

This interface will comply with AT&T's requirements document: "Fault Management Electronic Bonding Interfaces for Local Service", version 3.1, dated March 7, 1997, except as noted in the Joint Implementation Agreement (JIA). The Interconnect Agreement requires the deployment of the Electronic Interface for Maintenance and Repair by December 31, 1997 unless modified by mutual agreement. AT&T has requested BellSouth to implement the interface on November 15, 1997 (in order to begin SRT) and BellSouth has agreed to use a best efforts to meet the November 15, 1997 request.

C. Status

Milestone	Date Required	Date Accomplished	Status
Mutually Agree to Requirements/Specification (JIA)	7/31/97		Mutually agreed to be completed on 8/29 - On Target
Develop Test Plan	9/15/97		To Begin 8/16 - On Target
Perform Joint Testing	11/14/97		To Begin 9/15 - On Target
Dev. Work Center Operational Agreement	11/14/97		To Begin 9/15 - On Target
Move to Production	11/17/97		To Begin 11/15 - AT&T and BellSouth are working towards a 11/17/97 SRT date - On Target

5. Billing

5.1 Connectivity Billing and Recording and Customer Usage Data

A. Description of project

As described in the AT&T / BellSouth Georgia Interconnection Agreement, Attachment 6, Paragraph 2.1.1 "As an interim process, BellSouth will provide AT&T with bills in the CRIS/CLUB format... for those services purchased by AT&T for resale... for no more than one hundred eighty (180) days after the Effective Date of this agreement. After that time, BellSouth shall provide bills using only CABS or the CABS format...."

B. General Information

Under the AT&T / BellSouth Georgia Interconnection Agreement, BellSouth was required to send AT&T a test file on July 2, 1997 so that the parties could implement CABS-formatted bills by August 3, 1997. BellSouth did not provide this test file. On July 24, 1997, BellSouth finally sent AT&T the required test file, but that file contained fatal errors. ***To date, BellSouth has not sent another test file. Consequently, BellSouth has not provided AT&T with CABS-formatted billing.***

BellSouth also cannot electronically transmit originating and terminating recording information for local, intrastate and interstate calls. BellSouth has stated that 3,500 hours of programming are necessary before BellSouth will be able to transmit originating local recording information. BellSouth has not stated when it will be capable of transmitting originating intrastate/interstate recording information. BellSouth also has stated it cannot (and does not know when it will be able to) transmit terminating recording information that includes usage-sensitive rates.

C. Status

Milestone	Date Required	Date Accomplished	Status
CABS/CABS Format Test	8/1/97		To begin 7/2 - Actually began 7/24 and contained Fatal Errors; Currently delayed until BellSouth makes corrections.
CABS/CABS Move to Production	8/2/97		To begin 8/2 - Delayed due to fatal errors in testing.

6. Conclusion

AT&T will continue to file monthly reports on the status of the implementation of its operational interfaces to keep the Commission informed of the status.

AT&T's Response
to BellSouth's July 15, 1997
Monthly Surveillance Report for Electronic Interfaces

This document provides AT&T's response to BellSouth's electronic interface report on a report category basis. The purpose of this document is to provide the Georgia Public Service Commission (the Commission) information which AT&T believes will clarify and amplify the Commission's understanding of facts and issues relating to the provision of electronic interfaces by BellSouth to AT&T.

Introduction (Page 3 of BellSouth Report)

Joint Implementation Team

In its April Report, BellSouth stated, "BellSouth is willing to work with AT&T to include information about the development of the interfaces requested by AT&T in future monthly reports".

In its May response to BellSouth's April report, AT&T stated, "The Order in Docket 6801-U at page 23 states that "The Commission rules that AT&T and BellSouth shall continue to comply with the Commission's orders in Docket 6352-U including the requirements to file monthly surveillance reports to update the Commission on the development and implementation of these electronic interfaces". AT&T approached BellSouth regarding the filing of joint reports to keep the Commission apprised of the status of implementation of the permanent interfaces required by the AT&T/BellSouth interconnection agreement as required by the Commission in its Order. BellSouth subsequently offered the following procedure, which AT&T accepted:

- BellSouth will prepare the initial draft of the joint report to be filed by the 15th of each month reporting the results of the prior month.
- BellSouth will provide a copy of the draft to AT&T by the 5th of each month for review and comment.
- The first report to include the status of the permanent interfaces will be filed July 15.

Details on matters such as report format, reporting of differences in views between the two companies, etc. have not yet been completed.

BellSouth did not fulfill their commitment to AT&T. As of the date of this filing, we have not seen BellSouth's proposed draft of the promised July report. Therefore we are unable to comply with the Commission

Pre-Ordering Phase 1 - LAN-to-LAN Access

No comments.

Pre-Ordering Phase 1 - Transferring Files via Diskette

No comments.

Pre-Ordering Phase 1 - Transferring Files Electronically

No comments.

ATTACHMENT 51

<p>Page 1996</p> <p>H.P. 400.102</p> <p>BEFORE THE COMMONWEALTH OF KENTUCKY PUBLIC SERVICE COMMISSION</p> <p>IN THE MATTER OF: INVESTIGATION CONCERNING THE PROPRIETY OF PROVISION OF INTERLATA SERVICES BY BELL SOUTH TELECOMMUNICATIONS, INC., PURSUANT TO THE TELECOMMUNICATIONS ACT OF</p> <p>CASE NO. 96-608</p> <p>TRANSCRIPT OF EVIDENCE V O L U M E II</p> <p>DATE OF HEARING: August 26, 1997</p> <p>1</p>	<p>APPEARANCES CONTINUED</p> <p>COUNSEL FOR AT&T COMMUNICATIONS OF THE SOUTH CENTRAL STATES, INC.: HON. HOLLAND McTYEIRE GREENEBAUM, DOLL & McDONALD 3300 NATIONAL CITY TOWER 101 SOUTH FIFTH STREET LOUISVILLE, KENTUCKY 40202 HON. ROBIN DUNSON 1200 PEACHTREE STREET ATLANTA, GEORGIA 30309 HON. MARGARET RHODES McKENNA & CUNEO 1900 K STREET, N.W. WASHINGTON, D.C. 20006 HON. WILLIAM R. STOUGHTON 5700 BANK ONE CENTER 1717 MAIN STREET DALLAS, TEXAS 75201-7370 HON. STEVE A. MATTHEWS SINKLER & BOYD, P.A. THE PALMETTO CENTER, SUITE 1200 1426 MAIN STREET P. O. BOX 11889 COLUMBIA, SOUTH CAROLINA 29211-1889 COUNSEL FOR SPRINT COMMUNICATIONS COMPANY L.P.: HON. BENJAMIN FINCHER SPRINT COMMUNICATIONS COMPANY L.P. 3100 CUMBERLAND CIRCLE ATLANTA, GEORGIA 30339 HON. JACK HUGHES 124 WEST HIGH STREET FRANKFORT, KENTUCKY 40601 (APPEARANCES CONTINUED TO PAGE 4)</p>
<p>Page 2</p> <p>APPEARANCES</p> <p>HON. LINDA K. BREATHITT, CHAIRWOMAN HON. EDWARD J. HOLMES, VICE CHAIRMAN HON. B. J. HELTON, COMMISSIONER HON. DEBORAH EVERSOLE, COUNSEL FOR COMMISSION STAFF HON. WILLIAM WILLIS, COUNSEL FOR COMMISSION STAFF COUNSEL FOR BELL SOUTH TELECOMMUNICATIONS, INC.: HON. CREIGHTON MERSHON SOUTH CENTRAL BELL 601 WEST CHESTNUT STREET P. O. BOX 32410 LOUISVILLE, KENTUCKY 40232 HON. THOMAS ALEXANDER HON. PHILLIP CARVER HON. WILLIAM J. ELLENBERG II BELL SOUTH TELECOMMUNICATIONS, INC. 675 WEST PEACHTREE STREET, SUITE 4300 ATLANTA, GEORGIA 30375-0001 COUNSEL FOR BELL SOUTH LONG DISTANCE, INC.: HON. KENDRICK RIGGS OCDEN, NEWELL & WELCH 1700 CITIZENS PLAZA 500 WEST JEFFERSON STREET LOUISVILLE, KENTUCKY 40202 COUNSEL FOR AMERICAN COMMUNICATIONS SERVICES, INC.: HON. JOHN E. SELENT DINSMORE & SHOML 2000 MEIDINGER TOWER LOUISVILLE, KENTUCKY 40202 (APPEARANCES CONTINUED TO PAGE 3)</p>	<p>Page 4</p> <p>APPEARANCES CONTINUED</p> <p>COUNSEL FOR MCI TELECOMMUNICATIONS CORPORATION:</p> <p>HON. KENT HATFIELD HON. HENRY S. ALFORD MIDDLETON & REUTLINGER 2500 BROWN & WILLIAMSON TOWER LOUISVILLE, KENTUCKY 40202 HON. SUSAN BERLIN HON. MARSHA WARD MCI TELECOMMUNICATIONS CORPORATION 780 JOHNSON FERRY ROAD, SUITE 700 ATLANTA, GEORGIA 30342</p>

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Examination by Chairwoman Breathitt	15	5 hearing room, or would it be more appropriate to ask	
Direct Examination by Mr. Ellenberg	15-43	6 questions during the presentation?	
Cross Examination by Mr. Selent	44-50	7 CHAIRWOMAN BREATHITT:	
Redirect Examination by Mr. Ellenberg	50-52	8 Well, since I don't know much about this, maybe you	
Recross Examination by Mr. Selent	52	9 could direct that question to counsel, if it's a	
Cross Examination by Mr. Stoughton	54-77	10 question that needs to be asked for the application	
Examination by Chairwoman Breathitt	77	11 here, if that's what you want to know.	
Cross Examination by Mr. Stoughton	77-90	12 MR. McTYEIRE:	
Examination by Chairwoman Breathitt	90	13 I think it's your all's intent that she gets to proceed	
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Examination by Chairwoman Breathitt	97-99	15 MR. ELLENBERG:	
Cross Examination by Mr. Stoughton	99-122	16 As you would with any summary of testimony, I think	
Cross Examination by Ms. Ward	122-147	17 that's appropriate, and I think it will keep things as	
Examination by Chairwoman Breathitt	147	18 orderly as possible. If there are a few questions that	
Cross Examination by Ms. Ward	147-196	19 perhaps need to be asked here, when she's concluded the	
Examination by Chairwoman Breathitt	196	20 presentation, I think it might be appropriate for a few	
Cross Examination by Ms. Ward	196-228	21 questions, but, just to make sure we stay in the order	
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Examination by Chairwoman Breathitt	253	23 back to the Commission.	
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Page 6		Page 8
1 CHAIRWOMAN BREATHITT:		1 application up, if we can make sure you don't cross
2 Good morning, everyone. We are here for the second day		2 that line into something that really could be asked
3 of our hearing, and, at this time, I would like to		3 back at the Commission where I think the setting is
4 swear the witness in and begin this morning's		4 probably better for all of us.
5 proceeding.		5 MR. ELLENBERG:
6 WITNESS SWORN		6 I think our intent is to limit that as much as
7 MR. ELLENBERG:		7 possible, but, clearly, I think some of the AT&T folks
8 Thank you, Chairman and Commissioners. For the record,		8 have seen this before, but there may be a need to ask
9 I'm William Ellenberg. I'll be doing the direct		9 something here, so I guess we will proceed with the
10 examination of Ms. Calhoun. I'm sure you noticed this		10 intent to do any clarification regarding the
11 morning we've provided a copy of a glossary of acronyms		11 presentation at the end. Thank you.
12 that will be referred to or have been referred to.		12 CHAIRWOMAN BREATHITT:
13 Hopefully, that will be a little help to you.		13 Okay.
14 VICE CHAIRMAN HOLMES:		14 The witness, GLORIA CALHOUN, after having been
15 Thank you.		15 first duly sworn, testified as follows:
16 MR. ELLENBERG:		16 DIRECT EXAMINATION
17 I have additional copies for the parties if they're		17 BY MR. ELLINGTON:
18 interested in having one as well. For the sake of		18 Q. Ms. Calhoun, would you state your full name for the
19 clarification, to make sure we're all on the same page		19 record, please?
20 and we can go as orderly as possible this morning, we		20 A. Gloria Calhoun.
21 intend to conduct the direct examination of Ms. Calhoun		21 Q. And by whom are you employed?
22 here this morning. She will do the demonstration in		22 A. By BellSouth Telecommunications, Inc.
23 context of her summary, and then we'll adjourn and		23 Q. What's your business address?
24 return to the Commission's building for cross		24 A. 675 West Peachtree Street, N.E., in Atlanta.
25 examination. That's our understanding of how we'll go.		25 Q. And what is your position with BellSouth

1 A. They currently can handle a minimum of that. We've far
 2 exceeded the* in volume testing.
 3 Q. Okay, and, just to do the math, if you divided that
 4 over the nine BellSouth states, that's about a little
 5 over - that's about 555 orders per state; is that
 6 correct?
 7 A. I'll accept your math, subject to check.
 8 Q. Okay, and are you aware, I believe, on average, that
 9 you could say there are probably at least 50 CLECs or
 10 BellSouth has, what, 65 Interconnection Agreements with
 11 CLECs in Kentucky, so just to say, on average, if
 12 there's 50 CLECs in each state, that the math comes out
 13 to be about 11 orders per day per CLEC?
 14 A. Well, the math comes out that way, but I don't think
 15 that has any bearing on what we're actually seeing in
 16 the marketplace or what we anticipate. I go back to
 17 what I explained earlier, and that is that we don't
 18 develop the interfaces in a vacuum. There's forecast
 19 information, much of which is provided by the CLECs
 20 themselves. We have indications through our contacts
 21 with the CLECs who might be using electronic interfaces
 22 who might choose not to do so, so the systems are sized
 23 to exceed the forecasted - to meet or exceed the
 24 forecasted volume that's anticipated through the
 25 systems.

1 Q. Ms. Calhoun, if MCI is placing 11 orders a day and
 2 ramps up even, you know, well within the capacity of
 3 what EDI or LENS can take today, if other CLECs are
 4 similarly situated, it really wouldn't take them too
 5 long to double their 11 orders to 22. That would not
 6 be a significant event individually; would it?
 7 A. Well, we don't look at systems' capacity management on
 8 an individual event basis or an individual CLEC basis.
 9 You manage the capacity of the system by monitoring the
 10 load on the system in the aggregate.
 11 Q. Regarding TAFI in maintenance and repair, has BellSouth
 12 presented the results of its internal test for the
 13 capacity of TAFI in this proceeding?
 14 A. I've described that testing process in my testimony.
 15 One of the things that BellSouth did, before turning
 16 over the CLEC version of TAFI to the CLECs, we had some
 17 of our retail repair attendants use it rather than the
 18 BST version for actual customer trouble reports, and we
 19 processed 10,000 actual retail trouble reports through
 20 the CLEC version of TAFI over a month period, between
 21 March and April of this year. I think that further
 22 descriptions of the TAFI testing process were provided
 23 to MCI. I'm not sure that was in this docket. I think
 24 they were provided in another state.
 25 Q. Has BellSouth compared the repair intervals of CLEC

1 TAFI to the BellSouth TAFI?
 2 A. Again, that sounds like a performance measurements
 3 question.
 4 Q. Okay. You don't know?
 5 A. That's right. I don't.
 6 Q. Okay. Was there any carrier-to-carrier testing of TAFI
 7 performed?
 8 A. I don't know.
 9 Q. Okay. Do you know whether any independent third party
 10 has reviewed CLEC TAFI?
 11 A. I don't know if any independent third party has
 12 reviewed TAFI. TAFI is a system that's been used for
 13 several years by BellSouth for its retail operations.
 14 It's continued to perform reliably. It's fully
 15 scalable. We can continue adding processors and have
 16 done so for our retail operations. It's a system with
 17 which we have substantial experience, and I don't think
 18 we've done any - I don't think we've had a third party
 19 validate that it has worked well for us for all those
 20 years.
 21 Q. Ms. Calhoun, I understand TAFI supports the resold
 22 services for a CLEC. Does it also support unbundled
 23 network elements?
 24 A. Yes, as long as those unbundled network elements can be
 25 identified with a telephone number, which is what TAFI

1 recognizes.
 2 Q. And would those two unbundled network elements be ports
 3 and interim number portability?
 4 A. Yes.
 5 Q. Okay. So it does not support any troubles or repair or
 6 maintenance needs for unbundled loops?
 7 A. No. It's my understanding that unbundled loops are
 8 identified with a circuit number, not a switch-based
 9 telephone number, and those would be reported - if a
 10 CLEC wanted to report those electronically, those can
 11 be reported through the electronic interface that has
 12 been used for the past two and a half years by
 13 interexchange carriers for circuits.
 14 Q. Okay. That can be reported electronically, but it
 15 would not be dealt with - the trouble would not be
 16 dealt with electronically like TAFI does with the
 17 resold service?
 18 A. That's right. The electronic gateway doesn't have the
 19 artificial intelligence of TAFI. It does, however,
 20 conform with industry standards for trouble reporting
 21 on those circuits. It can be used to report troubles
 22 to obtain status information on a real-time basis on
 23 the progress of those troubles and can be used for that
 24 level of functionality as defined by the industry.
 25 Q. And TAFI does not process complex business trouble

ATTACHMENT 52

ESTIMATED AT&T ORDER AND INQUIRY VOLUMES

WITHIN 60 DAYS OF THE END OF SERVICE READINESS TESTING AND THE BEGINNING OF MARKET ENTRY

ORDERS PER WEEK	2,000
ORDERS PER DAY	400
ORDERS PER HOUR	50
PRE-ORDER INQUIRES PER HOUR	400

WITHIN 9 MONTHS OF THE END OF SERVICE READINESS TESTING AND THE BEGINNING OF MARKET ENTRY

ORDERS PER WEEK	15,000
ORDERS PER DAY	3,000
ORDERS PER HOUR	375
PRE-ORDER INQUIRES PER HOUR	3,000

KEY ASSUMPTIONS

- 3 ADDRESS INQUIRES PER ORDER
- 1 FEATURES AND FUNCTIONS INQUIRY PER ORDER
- 2 NUMBER RESERVATION INQUIRES PER ORDER
- 2 DUE DATE AND APPOINTMENT SCHEDULE INQUIRES PER ORDER
- 8 INQUIRES PER ORDER ON AVERAGE

jmb/8/21/96

**AT&T PROPRIETARY AND CONFIDENTIAL
PROVIDED TO BELL SOUTH UNDER TERMS OF A CONFIDENTIALITY
AGREEMENT DATED APRIL 2, 1996. FOR USE BY ONLY THOSE
BELL SOUTH EMPLOYEES WITH A NEED TO KNOW.**

ATTACHMENT 53

CHRONOLOGY OF RSAG SHUTDOWN

<u>Date</u>	<u>Extent and Duration of Problem</u>
August 6	RSAG was out of service for 1.5 hours during the day shift. 25 service representatives were affected. At 6:00 p.m. the same day, RSAG again went down, and remained down until 9:00 p.m., when AT&T's outbound calling efforts ended.
August 7	RSAG was inaccessible for approximately 1 hour.
August 8	RSAG went out of service at 7:03 p.m., and was still out of service when AT&T ended its telemarketing operations at 9:00 p.m. The problem was corrected only overnight.
August 11	AT&T representatives were unable to connect to RSAG from 6:49 p.m. until service representatives ceased their activities at 9:00 p.m. The problem was corrected only overnight.
August 12	AT&T representatives were unable to access RSAG from 6:18 p.m. onward. The representatives attempted to work around this problem by attempting to stagger their logging on to RSAG. The problem still had not been resolved when the shift ended.
August 13	RSAG went down for 224 minutes. 120 sales representatives were affected.

CHRONOLOGY OF RSAG SHUTDOWN

<u>Date</u>	<u>Extent and Duration of Problem</u>
August 18	AT&T representatives were unable to enter information in RSAG from 7:10 p.m. until telemarketing efforts ended at 9:00 p.m. The problem was corrected only during the night.
August 22	For 47 minutes, beginning at 1:43 p.m., 60 AT&T representatives were unable to access the RSAG application.
August 27	RSAG again was inaccessible for 47 minutes, beginning at 9:12 a.m. 35 sales representatives were affected. Later the same day, RSAG was again inaccessible for 6 minutes, affecting 60 sales representatives.
August 28	AT&T representatives experienced problems with RSAG at 8:13 p.m. Attempts to log on failed, and the sales representatives were finally sent home. The shutdown had lasted for 41 minutes when the shift ended.
September 3	Representatives were unable to log on to RSAG for 5 minutes, when BellSouth took its system down for a scheduled maintenance without notification to AT&T.

ATTACHMENT 54

STATE OF ALABAMA
ALABAMA PUBLIC SERVICE COMMISSION
P O BOX 991
MONTGOMERY, ALABAMA 36101-0991

JIM SULLIVAN, PRESIDENT
JAN COOK, ASSOCIATE COMMISSIONER
CHARLES B. MARTIN, ASSOCIATE COMMISSIONER

WALTER L. THOMAS
SECRETARY

BELLSOUTH TELECOMMUNICATIONS, INC.,

**IN RE: Petition for approval of a
Statement of Generally Available
Terms and Conditions pursuant to
§252(f) of the Telecommunications
Act of 1996 and notification of
intention to file a Petition for
In-region InterLATA Authority with the
FCC pursuant to §271 of the
Telecommunications Act of 1996.**

DOCKET 25835

ORDER

BY THE COMMISSION:

I. INTRODUCTION AND BACKGROUND

By Order entered on February 20, 1997, the Commission established this docket to consider BellSouth Telecommunications, Inc.'s ("BellSouth" or "Petitioner") entry into the interLATA market in Alabama pursuant to §271 of the Telecommunications Act of 1996 (the '96 Act)¹. Said order required BellSouth to file a notice with the Commission at least 90 days in advance of its filing of a Petition for In-region InterLATA authority in Alabama with the Federal Communications Commission ("FCC") pursuant to §271. The February 20, 1997 Order of the

¹The Telecommunications Act of 1996, Pub.L.No. 104-104, 110 stat.56, codified at 47 U.S.C. §§151 et seq. Cites to sections of the '96 Act are accordingly cites to 47 U.S.C.

DOCKET 25835 - #2

Commission also required BellSouth to accompany said notice with certain information requested by the Commission and stated that the decision of whether to establish a public hearing to evaluate BellSouth's compliance with the requirements of §271 would be discretionary with the Commission.

On June 18, 1997, BellSouth filed with the Commission the required notice of the Company's intention to file a §271 Petition for In-region InterLATA authority with the FCC. Included with that notice was a draft Statement of Generally Available Terms and Conditions ("SGAT") for which BellSouth sought approval and review pursuant to §252 (f) of the '96 Act. BellSouth noted that it was delaying the filing of its official SGAT for a short period in order to allow the Commission additional time to analyze the SGAT and render a decision thereon. BellSouth indicated, however, that the final, official SGAT would not be substantially different than the draft version submitted.

BellSouth also indicated in its June 18, 1997 filing that it sought a determination that its SGAT was compliant with the requirements of §271(c)(2)(B). BellSouth additionally requested a determination from the Commission that its entry into the InterLATA market in Alabama will be in the public interest.

Following a preliminary review of BellSouth's initial filing, the Commission determined that the public interest would best be served by establishing public hearings to review BellSouth's SGAT pursuant to the provisions of §252(f) of the '96 Act and to evaluate BellSouth's compliance with the applicable provisions of §271(c) of the '96 Act. Those hearings were established for the week of August 18 - 22, 1997, pursuant to a corrected procedural notice issued by the

DOCKET 25835 - #3

Commission on June 30, 1997. The June 30, 1997, notice also established deadlines for the filing of direct testimony by all intervenors and rebuttal testimony by all parties.

The Commission received Petitions to Intervene in this cause from Sprint Communications Company, L.P. ("Sprint"); the Telecommunications Resellers Association ("TRA"); MCI Telecommunications Corporation and MCImetro Access Transmission Services, Inc. (collectively "MCI"); the Communications Workers of America ("CWA"); American Communications Services, Inc. ("ACSI"); AT&T Communications of the South Central States, Inc. ("AT&T"); DeltaCom, Inc. ("DeltaCom"); the Competitive Telecommunications Association ("CTA"); BellSouth Long Distance, Inc. ("BSLD"); the Alabama Interexchange Carriers Association ("AICA"); KMC Telecom, Inc. ("KMC"); Intermedia Communications, Inc. ("ICI"); the Attorney General of Alabama ("AG"); and ICG Telecommunications Group, Inc. ("ICG"). All of the aforementioned Petitions to Intervene were granted pursuant to a procedural ruling issued on August 14, 1997.

BellSouth presented substantial testimony in support of its petition, the overwhelming majority of which was prefiled with the Commission. BellSouth filed its formal SGAT with the Commission on August 8, 1997.

The intervenors, Sprint, BSLD, ACSI, AT&T, MCI, AICA, KMC, DeltaCom and ICI also submitted prefiled testimony and actively participated in the hearings which were held before the Commission on August 18 - 22, 1997. ICG and the AG were represented in the proceedings, but did not sponsor witnesses. The Commission staff was also represented and actively participated in the hearings through clarifying cross-examination.

II. OVERVIEW OF THE BELL SOUTH FILING

As noted previously, BellSouth's June 18, 1997, filing which commenced formal action in this docket, contained a three-pronged request for relief. More specifically, BellSouth requested that the Commission (1) approve its SGAT pursuant to §252(f) of the '96 Act; (2) render a finding that the SGAT satisfies the 14-point checklist of §271(c)(2)(B) of the '96 Act; and (3) render a finding that BellSouth's entry into the interLATA long distance market in Alabama is in the public interest. It is the first two prongs of BellSouth's request that we are concerned with at this juncture of the proceedings conducted in this cause. We do not attempt, in this Order, to address the issue of whether BellSouth's entry into the InterLATA long distance market is in the public interest.

A. The Commission's responsibilities pursuant to §252(f) of the Telecommunications Act of 1996.

§252(f) allows a BOC to, at any given point in time, prepare and file with a state Commission an SGAT for purposes of delineating the terms and conditions that such company generally offers within that state.² State commissions are required to complete their review of properly submitted SGATs not later than 60 days after their filing unless the submitting BOC agrees to an extension of time.³ State commissions are allowed to continue to review SGATs beyond the 60-day time period established by the '96 Act, but must permit the SGAT being reviewed to go into effect following the sixtieth day unless the submitting BOC has agreed to an extension.⁴

²47 U.S.C. §252(f)(1)

³47 U.S.C. §252(f)(3)

⁴47 U.S.C. §252(f)(4)

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The criteria for reviewing an SGAT are well defined by the '96 Act. In rendering its decision, a state commission is precluded from approving an SGAT unless it complies with the requirements of §251 (and the regulations promulgated thereunder) and the pricing standards for interconnection, unbundled network elements, the transport and termination of traffic and resale established by §252(d).⁵

B. The Commission's Responsibilities pursuant to §271 of the Telecommunications Act of 1996.

BellSouth's request for a determination that its SGAT complies with the 14-point competitive checklist of §271(c)(2)(B) requires the Commission to engage in the consultative responsibilities established by the '96 Act at §271(d)(2)(B). When BellSouth files its Petition for In-region InterLATA authority in Alabama with the FCC, §271(d)(2)(B) requires that the FCC consult with the Commission "in order to verify the compliance of the Bell operating company with the requirements of Subsection(c)" of §271 prior to rendering a determination on BellSouth's filing.

BellSouth's reliance on its SGAT to demonstrate that it meets the requirements of §271(c)⁶ requires BellSouth to demonstrate that it is generally offering access and interconnection in accordance with the applicable provisions of §251 and §252⁷. In particular, §271(c)(2)(B) requires that BellSouth generally offer nondiscriminatory access

⁵47 U.S.C. §252(f)(2)

⁶For the limited purposes of this Order, we do not herein attempt to address the issue of whether Track A or Track B is available to BellSouth.

⁷47 U.S.C. §§271(c)(2)(B)(i) and (ii)

to its: poles, ducts, and conduits, etc.; unbundled local loop; unbundled local transport; unbundled local switching; 911/E911, directory assistance services, and operator call completion services; white pages directory listings; telephone numbers; databases and associated signaling; and number portability.⁸ Additional obligations imposed by §271(c)(2)(B) require BellSouth to generally offer dialing parity, reciprocal compensation and resale service subject to the applicable requirements of §§251 and 252.⁹

C. The Commission's Process of Review

Due to the substantial overlap of the legal and technical obligations imposed on BellSouth by §§252(f) and 271(c)(2)(B), we have attempted to fulfill our statutory responsibility of reviewing BellSouth's SGAT pursuant to §252(f) by conducting an analysis of the individual checklist requirements of §271(c)(2)(B). This is the approach which most effectively lends itself to rendering the determinations sought in this proceeding by BellSouth.

III. DISCUSSION AND CONCLUSIONS

The Commission staff has been working diligently to ensure that this Commission fulfills its statutory responsibilities in reviewing BellSouth's petition. We have closely monitored these proceedings and the work that has been performed by the staff to this point.

It has become increasingly apparent from our review that BellSouth's request for the Commission to approve its SGAT pursuant to §252(f) and to find that SGAT compliant with

⁸47 U.S.C. §§271 (c)(2)(B)(iii) - (xi)

⁹47 U.S.C. §271(c)(2)(B)(xii) - (xiv)

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§271(c)(2)(B) is, at this juncture, premature. We recognize that BellSouth has made substantial progress towards meeting the Act's requirements to obtain In-Region InterLATA authority, but it nonetheless appears that BellSouth's petition is not yet timely.

Our conclusions herein are based primarily on two areas of concern. First, the rates BellSouth relies on in its SGAT have not been determined to be cost based as required by §252(d). We note, however, that the Commission has just recently completed public hearings concerning the establishment of cost-based rates for unbundled network elements in Docket 26029. A Commission decision establishing those rates will resolve the vast majority of our concerns regarding cost-based rates.

The second major area of concern the Commission has with rendering a decision regarding BellSouth's SGAT at this time relates to the access BellSouth currently provides to its Operational Support Systems ("OSS"). It appears to us that BellSouth's OSS interfaces must be further revised to provide nondiscriminatory access to BellSouth's OSS systems as required by §251(c)(3) of the '96 Act. We have concerns that such nondiscriminatory access is not currently being provided.

We believe the most expeditious and effective method of ensuring that those OSS shortcomings are rectified in a timely manner is for the Commission to institute a further proceeding in this Docket wherein BellSouth must give a live demonstration of its OSS systems for the Commission, our staff and the intervenors in this cause. We believe that such a demonstration in a setting where the parties can engage in hands-on, give-and-take will be the most effective means of remedying the concerns we have with BellSouth's OSS interfaces. We

further believe, however, that it is necessary for the Commission to establish performance standards in the OSS proceedings ordered herein so that BellSouth's provisioning of service to its competitors can be meaningfully compared to BellSouth's internal performance.

As was discussed on the record at our October 6, 1997 public meeting of the Commission, we believe that the measures discussed above are necessary steps in the process of bringing local and long distance competition to Alabama. We view the process of reviewing BellSouth's SGAT for purposes of determining checklist compliance as a continuing one which will be most effective if there is a constructive dialogue between the affected parties. Our initial proceedings in this cause were merely the first step in the on-going process of ensuring that local and long distance competition develop in this State.

Our views in this regard are apparently shared by BellSouth. BellSouth, through its Alabama President of Operations, Mr. R. Neal Travis, concurred with our recommendation that BellSouth waive the 60-day deadline of §252(f) indefinitely so that the cost and OSS proceedings discussed above can be brought to fruition. We view BellSouth's willingness to waive the statutory deadline indefinitely so that the expressed concerns regarding SGAT rates and OSS access can be resolved as a good faith measure. BellSouth's actions in this regard demonstrate the Company's commitment to doing its part to ensure that competition comes to all of Alabama's telecommunications markets.

IV. ORDERING CLAUSES

IT IS, THEREFORE, ORDERED BY THE COMMISSION, That the deadline for this Commission's decision as to whether BellSouth Telecommunications, Inc.'s August 8, 1997 SGAT